

1-1 By: Paxton S.B. No. 1658
1-2 (In the Senate - Filed March 8, 2013; March 20, 2013, read
1-3 first time and referred to Committee on Education; April 16, 2013,
1-4 reported adversely, with favorable Committee Substitute by the
1-5 following vote: Yeas 7, Nays 0; April 16, 2013, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Patrick	X		
1-9	Lucio	X		
1-10	Campbell	X		
1-11	Duncan		X	
1-12	Paxton	X		
1-13	Seliger		X	
1-14	Taylor	X		
1-15	Van de Putte	X		
1-16	West	X		

1-17 COMMITTEE SUBSTITUTE FOR S.B. No. 1658 By: Paxton

1-18 A BILL TO BE ENTITLED
1-19 AN ACT

1-20 relating to the effect of certain state aid on school districts
1-21 required to take action to equalize wealth under the school finance
1-22 system.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. The heading to Section 41.0041, Education Code,
1-25 is amended to read as follows:

1-26 Sec. 41.0041. EFFECT OF [~~ADDITIONAL~~] STATE AID [~~FOR TAX~~
1-27 ~~REDUCTION~~].

1-28 SECTION 2. Subsections (b), (c), and (d), Section 41.0041,
1-29 Education Code, are amended to read as follows:

1-30 (b) When the commissioner initially identifies a school
1-31 district under Section 41.004 as having a wealth per student for a
1-32 school year that exceeds the equalized wealth level, the
1-33 commissioner shall estimate:

1-34 (1) the amount of state revenue to which the district
1-35 is entitled under Chapter 42 [~~Section 42.2516~~] for that school
1-36 year; and

1-37 (2) the cost to the district to purchase attendance
1-38 credits under Subchapter D in an amount sufficient to reduce the
1-39 district's wealth per student to the equalized wealth level for
1-40 that school year.

1-41 (c) If the commissioner determines that the amount
1-42 described by Subsection (b)(1) exceeds the amount described by
1-43 Subsection (b)(2), the commissioner shall notify the district of
1-44 the commissioner's determination. In lieu of exercising an option
1-45 described by Section 41.003, the district's board of trustees may
1-46 authorize the commissioner to withhold from the state revenue to
1-47 which the district is entitled under Chapter 42 [~~Section 42.2516~~]
1-48 an amount equal to the amount described by Subsection (b)(2).

1-49 (d) In calculating the amount of state revenue to be
1-50 withheld from a school district under this section, the
1-51 commissioner shall calculate the cost for the district to reduce
1-52 the district's wealth per student to the equalized wealth level
1-53 using the final attendance and tax rate data for the school year and
1-54 shall award the district any available credit or discount under
1-55 Subchapter D as if the district had exercised the option under
1-56 Section 41.003(3) in a timely manner. If the final amount
1-57 calculated for the cost for the district to reduce the district's
1-58 wealth per student to the equalized wealth level for a school year
1-59 exceeds the amount of state revenue to which the district is
1-60 entitled under Chapter 42 [~~Section 42.2516~~] for that year:

2-1 (1) the commissioner shall:
 2-2 (A) withhold the entire amount of state revenue
 2-3 to which the district is entitled under Chapter 42 [~~Section~~
 2-4 ~~42.2516~~] for that year; and
 2-5 (B) withhold the additional amount of the cost
 2-6 for the district to reduce the district's wealth per student to the
 2-7 equalized wealth level for that year from the state revenue to which
 2-8 the district is entitled under Chapter 42 [~~Section 42.2516~~] for a
 2-9 subsequent school year, or if the additional amount exceeds the
 2-10 amount of state revenue to which the district is entitled, add the
 2-11 difference to the cost of the attendance credits that the district
 2-12 must purchase in the subsequent year; and

2-13 (2) the district is not required to take any further
 2-14 action to reduce its wealth per student for that year.

2-15 SECTION 3. Subsection (a), Section 57.32, Chapter 4 (S.B.
 2-16 1), Acts of the 82nd Legislature, 1st Called Session, 2011, is
 2-17 amended to read as follows:

2-18 (a) Effective September 1, 2017, the following provisions
 2-19 of the Education Code are repealed:

- 2-20 (1) [~~Section 41.0041;~~
- 2-21 [~~2~~] Subsections (b), (b-1), (b-2), (c), (d), (e),
- 2-22 (f), (f-1), (f-2), (f-3), and (i), Section 42.2516;
- 2-23 (2) [~~3~~] Section 42.25161;
- 2-24 (3) [~~4~~] Subsection (c), Section 42.2523;
- 2-25 (4) [~~5~~] Subsection (g), Section 42.2524;
- 2-26 (5) [~~6~~] Subsection (c-1), Section 42.253; and
- 2-27 (6) [~~7~~] Section 42.261.

2-28 SECTION 4. This Act takes effect September 1, 2013.

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